

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ENNIS LEE BROWN,

Plaintiff,  
v.

Case No. 16-cv-1463-pp

RICKY SEABUL,

Defendant.

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**DECISION AND ORDER GRANTING DEFENDANT'S MOTION  
TO STAY UPCOMING CASE DEADLINES (DKT. NO. 55)  
AND DISMISSING JANE DOE DEFENDANT**

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On December 27, 2017—well ahead of the January 16, 2108 deadline the court had set for filing dispositive motions—the defendant filed a motion for summary judgment on the issue of whether the plaintiff had exhausted his administrative remedies before filing his complaint. Dkt. No. 51. Along with this motion, the defendant filed a motion asking the court to stay the originally-set dispositive motions deadlines. Dkt. No. 55. In support of this motion, the defendant explains that, if the court decides that the plaintiff *did* exhaust his administrative remedies, the defendant also plans to file summary judgment on the merits of the plaintiff's claims; he would prefer, however, that the parties not spend time and effort on that endeavor until they know how the court will rule on the exhaustion question. Dkt. No. 55.

In order to preserve the parties' resources, the court **GRANTS** the defendant's motion to stay the previously-imposed dispositive motion

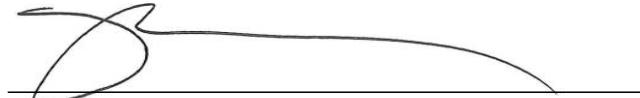
deadlines. Dkt. No. 55. If the court concludes that the plaintiff did exhaust his administrative remedies, the court then will set new deadlines for filing substantive summary judgment motions, and for briefing on those motions.

The court also notes that back in its July 2017 scheduling order, the court gave the plaintiff a deadline of October 17, 2017 to identify the defendant he sued as Jane Doe. Dkt. No. 26. The court warned the plaintiff that if he failed to identify the defendant identified as Jane Doe by that date, the court might dismiss that party. Dkt. No. 26. The deadline passed over three months ago, and the plaintiff has not identified the Jane Doe defendant. The court

**DISMISSES** Jane Doe from the lawsuit.

Dated in Milwaukee, Wisconsin this 22nd day of January, 2018.

**BY THE COURT:**



**HON. PAMELA PEPPER**  
**United States District Judge**